

Juvenile Prosecution: Trending Topics for the 21st Century

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APAAC Training Room
1951 W Camelback Rd., Unit 202,
Phoenix, Arizona



21st Century Juvenile Gangs

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Distributed by:

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Criminal Street Gang A.R.S. § 13-105(8)

"Criminal street gang" means an ongoing formal or informal association of persons in which members or associates individually or collectively engage in the commission, attempted commission, facilitation or solicitation of any felony act and that has at least one individual who is a criminal street gang member.

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Criminal Street Gang Member A.R.S. § 13-105(9)

"Criminal street gang member" means an individual to whom at least two of the following seven criteria that indicate criminal street gang membership apply:

- (a) Self-proclamation.
- (b) Witness testimony or official statement.
- (c) Written or electronic correspondence.
- (d) Paraphernalia or photographs.
- (e) Tattoos.
- (f) Clothing or colors.
- (g) Any other indicia of street gang membership.

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GMIC (Gang Member Information Card)

- Officer makes contact with a gang member
 - Fills out card
 - Lists the criteria used to document the individual
- Put into database
- Purged after five years of latest GMIC

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GMIC

000017

000038

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Examples of Different Juvenile Gangs

- YSN
 - started along 19th Avenue and Camelback Road along the light rail. Juveniles involved had connections to South Phoenix gangs, such as Linds Park Crips and West Side City Crips. Recent reports are YSN has transitioned to using F*** the Ops or FTO.
- PMSK
 - started in Isabe Middle School near 39th Avenue and McDowell Road in Phoenix. Several members of the gang were children of Hollywood 39th Avenue gang members. The gang was known for stolen guns and vehicles. Parents of the children and female members played a large role in the gang.
- OTS
 - members of the gang tend to be from South Phoenix gangs such as Park South Crips and Southern Bloods. Main reason for being formed was to make money. Several members of OTS have been shot and killed since 2016. Bloods and Crips working together.
- ACMD
 - formed around 2018 at Estrella Middle School. The gang claims 80th Avenue and Indian School as territory. The Torres Brothers, Luis and Oscar appear to be founding members. Oscar was killed in 2018 by a gunshot to the head. The gang has issues with several other gangs to include PMS and FTO.
- GBS
 - Started around 2018 with Meshalg Sinclair who moved from New Jersey to Phoenix. He stated the gang started as a dance crew and then started to commit crime to make money. The gang claims the territory of 67th Avenue from Buckeye Road to McDowell Road. This set claims Bloods. A Crip set of GBS claimed to form and incorporated the name 1400 Orangewood Crips while also using GBS. This set claims the area of 14th Street and Orangewood Avenue in Phoenix. The two sets tend to all hang out together.
- Take Down Gang
 - in the area of 35th Avenue to 43rd Avenue in Glendale. Tends to have issues with several other gangs in Glendale and Phoenix. Recent interviews state the gang is now using ATG (Ruthless Gang) as a new name. This gang is supposedly getting involved with crime along the light rail.

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Criminal Activity

- Homicide
- Aggravated Assault
- TOMOT
- Armed Robbery
- Aggravated Robbery
- Theft
- Misconduct Involving Weapons
- Drugs

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Non-Traditional

- Don't follow neighborhood lines
 - *some will still claim their neighborhood gang as well*
- Don't follow racial lines
- Constantly changing names/members/areas
- Many form through connections in ADOBE Mountain
- Females involved
- Parents involved
- Faster escalation in violence

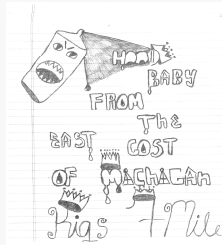
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Investigative Tools

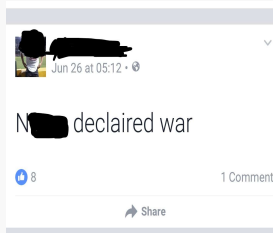
- Social Media
 - Snap chat
 - Facebook
 - Instagram
 - Whatsapp
- Cell phone extractions
- Search warrants
 - Graffiti
 - Notebooks
- Jail Mail



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Differences Between Juvenile Prosecution vs. Adult Prosecution

- Defense argument regarding brain development
- Social perception
- Juvenile priors don't carry over to adult court
- Juveniles lack of understanding of punishment in adult court
- Juveniles *Miranda* warnings
- Resources
 - *JTOP program (probation)*
- Remand back to Juvenile Court

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Mandatory File into Adult Court A.R.S. 13-501(A)

A. The county attorney shall bring a criminal prosecution against a juvenile in the same manner as an adult if the juvenile is **fifteen, sixteen or seventeen** years of age at the time the alleged offense is committed and the juvenile is accused of any of the following offenses:

1. First degree murder in violation of section 13-1105.
2. Second degree murder in violation of section 13-1104.
3. Forcible sexual assault in violation of section 13-1406.
4. Armed robbery in violation of section 13-1904.
5. Any other violent felony offense.
6. Any felony offense committed by a chronic felony offender.
7. Any offense that is properly joined to an offense listed in this subsection.

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Discretionary File into Adult Court A.R.S. 13-501(B)

B. Except as provided in subsection A of this section, the county attorney **may** bring a criminal prosecution against a juvenile in the same manner as an adult if the juvenile is at **least fourteen years** of age at the time the alleged offense is committed and the juvenile is accused of any of the following offenses:

1. A class 1 felony.
2. A class 2 felony.
3. A class 3 felony in violation of any offense in chapters 10 through 17 or chapter 19 or 23 of this title.
4. A class 3, 4, 5 or 6 felony involving a dangerous offense.
5. Any felony offense committed by a chronic felony offender.
6. Any offense that is properly joined to an offense listed in this subsection.

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